

FILED: December 14, 2021

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

No. 20-1191  
(1:15-cv-00662-TSE)

---

WIKIMEDIA FOUNDATION

Plaintiff - Appellant

and

NATIONAL ASSOCIATION OF CRIMINAL DEFENSE ATTORNEYS;  
HUMAN RIGHTS WATCH; PEN AMERICAN CENTER; GLOBAL FUND  
FOR WOMEN; THE NATION MAGAZINE; THE RUTHERFORD  
INSTITUTE; WASHINGTON OFFICE ON LATIN AMERICA; AMNESTY  
INTERNATIONAL USA

Plaintiffs

v.

NATIONAL SECURITY AGENCY/ CENTRAL SECURITY SERVICE;  
GENERAL PAUL M. NAKASONE, in his official capacity as Director of the  
National Security Agency and Chief of the Central Security Service; OFFICE OF  
THE DIRECTOR OF NATIONAL INTELLIGENCE; RICHARD GRENELL, in  
his official capacity as acting Director of National Intelligence; MERRICK B.  
GARLAND, Attorney General; DEPARTMENT OF JUSTICE

Defendants - Appellees

-----

CENTER FOR DEMOCRACY & TECHNOLOGY; NEW AMERICA'S OPEN TECHNOLOGY INSTITUTE; DAVID H. KAYE, Evidence Law Professor; EDWARD J. IMWINKELRIED, Evidence Law Professor; D. MICHAEL RISINGER, Evidence Law Professor; REBECCA WEXLER, Evidence Law Professor; PROFESSOR STEPHEN I. VLADECK; AMERICANS FOR PROSPERITY FOUNDATION; BRENNAN CENTER FOR JUSTICE; ELECTRONIC FRONTIER FOUNDATION; ELECTRONIC PRIVACY INFORMATION CENTER; FREEDOMWORKS FOUNDATION; TECHFREEDOM; NETWORK ENGINEERS AND TECHNOLOGISTS

Amici Supporting Appellant

---

O R D E R

---

Upon consideration of submissions relative to appellant's petition for rehearing en banc, the court places the petition in abeyance pending a decision by the United States Supreme Court in *FBI v. Fazaga*, No. 20-828.

Counsel shall immediately notify this court upon issuance of a decision by the Supreme Court.

For the Court

/s/ Patricia S. Connor, Clerk